CITY OF CHARLESTON

Planning Commission Agenda Package

FOR THE MEETING OF :

March 16, 2016 5:00PM 2 George St

CITY OF CHARLESTON DEPARTMENT OF PLANNING, PRESERVATION AND SUSTAINABILITY

www.charleston-sc.gov/pc

CITY OF CHARLESTON
PLANNING COMMISSION

MEETING OF MARCH 16, 2016

A meeting of the City of Charleston Planning Commission will be held at **5:00 p.m., on Wednesday, March 16, 2016** in the Public Meeting Room, 1st Floor, 2 George St. The following applications will be considered:

REZONING

1. **Ashley River Rd (West Ashley) a portion of TMS# 3550700012** – approx. 3.2 ac. Request rezoning to include a portion of the property in the School Overlay Zone (S). Zoned Diverse Residential (DR-12).
   Owner: Parsonage – CPW LLC
   Applicant: Riverpointe Christian Academy Inc.

SUBDIVISION

1. **Sanders Road Townhomes (West Ashley) TMS# 2860000001** – 22.3 ac. 113 lots. Request subdivision concept plan approval. Zoned Diverse Residential (DR-9).
   Owner: Lennar Coastal Carolina, Inc.
   Applicant: Thomas & Hutton Engineering Co.

deferred

ZONINGS

1. **2116 Saint James Dr (Riverland Terrace - James Island) TMS# 3430200073** – 0.24 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   Owner: Catherine Galloway

2. **1827 Mepkin Rd (West Ashley Plantation - West Ashley) TMS# 3531400183** – 0.18 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   Owner: Brandon and Allison Broughton

3. **2482 Flamingo Dr (Long Branch - West Ashley) TMS# 3100200127** – 0.25 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   Owner: Reginald and Lisa Worth

4. **2476 Flamingo Dr (Long Branch - West Ashley) TMS# 3100200126** – 0.25 ac. Request zoning of Single-Family Residential (SR-1). Zoned Single-Family Residential (R-4) in Charleston County.
   Owner: Jason and Amanda Dolinski

5. **115 Carriage Hill Pl (Nelliefield – Cainhoy) TMS# 2690105159** – 0.18 ac. Request zoning of Single-Family Residential (SR-6). Zoned Manufactured Residential (R-2) in Berkeley County.
   Owner: Jonathan and Candace Crompton

6. **Cooper Judge Ln (James Island) TMS# 4270000078 & 079** – 3.74 ac. Request zoning of Single-Family Residential (SR-1). Zoned Special Management (S-3) in Charleston County.
   Owner: Rosalind Joachim aka Rosalind Judge

ORDINANCE AMENDMENTS

1. Request approval to amend Section 54-943(c) of the Code of the City of Charleston (Zoning Ordinance) to **modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to Council to sixty (60%) percent of the members of Council present and voting.**

2. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-110 to change zoning regulations for non-conforming two-family and multi-family dwelling uses to require any increase in the number of bedrooms to be reviewed by the Board of Zoning Appeals- Zoning and amending Section 54-120 to change the definition "Multiple Dwelling" to "Multi-Family Dwelling".**

3. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-120 to change the definition of "Protective Barricade" and by amending Section 54-330 to include additional tree protection requirements.**

4. Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-353 to change the driveway requirements for one-family attached dwellings.**

REPORT OF THE TECHNICAL REVIEW COMMITTEE

Over the past month, the following subdivision projects were submitted to the TRC for review and approval. The findings of the TRC shall be presented to the Planning Commission. Items approved by the TRC comply with all applicable regulations and standards of the City of Charleston.

Preliminary & Final Plats

1. **South Point II (West Ashley) TMS# 3070000007.** 28.9 ac. 2 lots. PUD. Preliminary subdivision plat pending approval.
2. **WestEdge Phase 0 (Peninsula) TMS# 4600000013.** 7.4 ac. 3 lots. MU-2/WH. Preliminary subdivision plat pending approval.
3. **Ashley Park Phase 6 (West Ashley) TMS# 3060000132.** 4. 8 ac. 50 lots. DR-9. Final subdivision plat pending approval.
4. **West Island Center (West Ashley) TMS# 3100800010.** 8.1 ac. 3 lots. GB. Preliminary subdivision plat under review.
5. **Shade Tree Phase 1 (Johns Island) TMS# 2780000040.** 44.6 ac. 87 lots. PUD. Preliminary subdivision plat pending approval.

6. **Oak Bluff Phase 1B (Cainhoy) TMS# 2630002003.** 3.3 ac. 19 lots. SR-1. Preliminary subdivision plat under review.
7. **WestEdge Phase 0 (Peninsula) TMS# 4600000013.** 7.4 ac. 3 lots. MU-2/WH. Final subdivision plat pending approval.
8. **1109 Camp Road (James Island) TMS# 4280300027.** 1.8 ac. 2 lots. SR-1. Preliminary subdivision plat pending approval.
9. **Charleston Regional Business Center Tract V-1 (Cainhoy) TMS# 2670000129.** 16.3 ac. 2 lots. LI. Final subdivision plat pending approval.
10. **Carolina Bay Phase 14 (West Ashley) TMS# 3090000054.** 8.5 ac. 24 lots. PUD. Final subdivision plat pending approval.
11. **1109 Camp Road (James Island) TMS# 4280300027.** 1.8 ac. 2 lots. SR-1. Final subdivision plat pending approval.
12. **Preserve at Fenwick Lots 36 & 37 (Johns Island) TMS# 3460000257.** 2 lots. PUD. Final subdivision plat pending approval.

Road Construction Plans

1. **Parcels BB-5 & CC-6 (Daniel Island) TMS# 2770000011 & 203.** 21.3 ac. 73 lots. DI-R. Road construction plans pending approval.
2. **Ashley Pointe Phase 1 (West Ashley) TMS# 2860000444.** 84.4 ac. 60 lots. SR-6. Road construction plans under review.
3. **South Point II (West Ashley) TMS# 3070000007.** 28.9 ac. 2 lots. PUD. Road construction plans pending approval.
4. **Stonoview Phase 2B Parking (Johns Island) TMS# 3150000012 & 047.** 127.1 ac. PUD. Road construction plans pending approval.
5. **Clements Ferry Road Widening (Cainhoy)** Road construction plans pending approval.
6. **Shade Tree Phase 1 (Johns Island) TMS# 2780000040.** 44.6 ac. 87 lots. PUD. Road construction plans under review.
7. **Oak Bluff Phase 1B (Cainhoy) TMS# 2630002003.** 3.3 ac. 19 lots. SR-1. Road construction plans under review.
8. **Parcel FF, Phase 1 (Daniel Island) TMS# 2750000092.** 28.4 ac. 38 lots. DI-RI. Road construction plans pending approval.

Individuals with questions concerning the above items should contact the Department of Planning, Preservation and Sustainability at (843) 724-3765. Files containing information pertinent to the above applications are available for public review at the City of Charleston Zoning Office, 2 George St, Third Floor, during regular working hours, 8:30 a.m. to 5:00 p.m., daily except Saturdays, Sundays, and holidays. Additional information on these cases may also be obtained by visiting www.charleston-sc.gov/pc.

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to schumacherj@charleston-sc.gov three business days prior to the meeting.

CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Rezoning 1 :

Ashley River Rd (West Ashley)

The applicant is requesting a rezoning to include a portion of the subject property in the School Overlay Zone (S). The property, currently zoned Diverse Residential (DR-12), is located on the north side of Ashley River Road near Parsonage Road. A part of the subject property (not proposed to be in the School Overlay) that fronts on Ashley River Road is zoned General Business (GB). Surrounding zonings include GB, LB, DR-1F, Conservation (along Church Creek), and PUD (single-family). Existing uses surrounding the subject property include multi-family residences (Housing Authority), a fire station (St. Andrews PSD), a retail strip center and undeveloped land.

As is typical in many neighborhoods, schools co-exist with many other uses; including areas with predominately residential uses. The School Overlay Zone is intended to identify areas within residential zoning districts where school uses are allowed. New or expanded school uses are prohibited within residential zoning districts unless they are within the School Overlay Zone. Most schools located in West Ashley, both private and public, are located in the School Overlay.

The Board of Zoning Appeals-Zoning must approve the manner of the use as an exception, upon a finding by the Board that certain conditions will be met to minimize the potential negative impacts to the greatest extent possible. These conditions are as follows:

For nursery, preschool and kindergarten schools:

(a) Proof of the application for the facilities licensing by the Department of Social Services is provided;

(b) Outdoor play is allowed only between the hours of 8 a.m. and 6 p.m.;

(c) Play areas within fifty feet (50') of a residential structure are appropriately buffered;

(d) Off-street parking requirements of this Chapter are met and parking areas are appropriately buffered;

(e) Plans for ingress/egress, loading/unloading and the location of the parking and play areas are approved for safety by the appropriate City department(s);

(f) The facility is compatible with the surrounding neighborhood based upon consideration of the number of persons in the facility, potential traffic and noise impacts, location of the play, parking, loading and circulation areas and relation to other noise or traffic generating institutions (particularly if another non-residential facility is facing or abutting the same block face or is within three hundred feet (300') of the proposed site); and

(g) Proposed outdoor lighting of the facility does not unduly impact neighboring properties.

For elementary and secondary schools and colleges:

(a) The principal building(s) shall occupy no more than fifty (50) percent of the lot on which the building(s) is (are) located;

(b) Sufficient well-designed parking spaces will be provided internal to the campus and parking areas shall be appropriately buffered;

(c) Dormitory type facilities will be no closer than twenty-five feet (25') to any lot occupied by a single-family dwelling;

(d) Excessive traffic will not be generated on a residential street; and

(e) The facility is compatible with the surrounding neighborhood based upon consideration of the number of persons in the facility, potential traffic and noise impacts, location of the play, parking, loading and circulation areas and relation to other noise or traffic generating institutions (particularly if another non-residential facility is facing or abutting the same block face or is within three hundred feet (300') of the proposed site).

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends keeping the character of established areas in the City when considering rezoning property. The School Overlay Zone indicates the City's recognition of the importance of neighborhood schools and is it intended to make sure that existing school uses continue to be compatible with surrounding neighborhoods. The subject property area is in an area designated as **Neighborhood Center** in the Century V Plan. Rezoning the subject property to be included in the School Overlay Zone is recommended to ensure appropriate school uses occur within the existing neighborhood.

STAFF RECOMMENDATION

APPROVAL

City of Charleston

Planning Commission
March 16, 2016

Rezoning 1

Ashley River Rd (West Ashley)

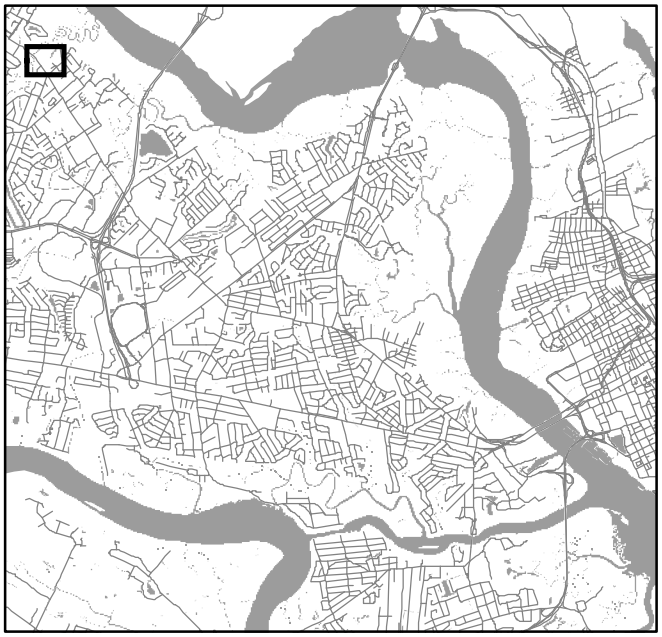
a portion of TMS# 3550700012

approx. 3.2 ac.

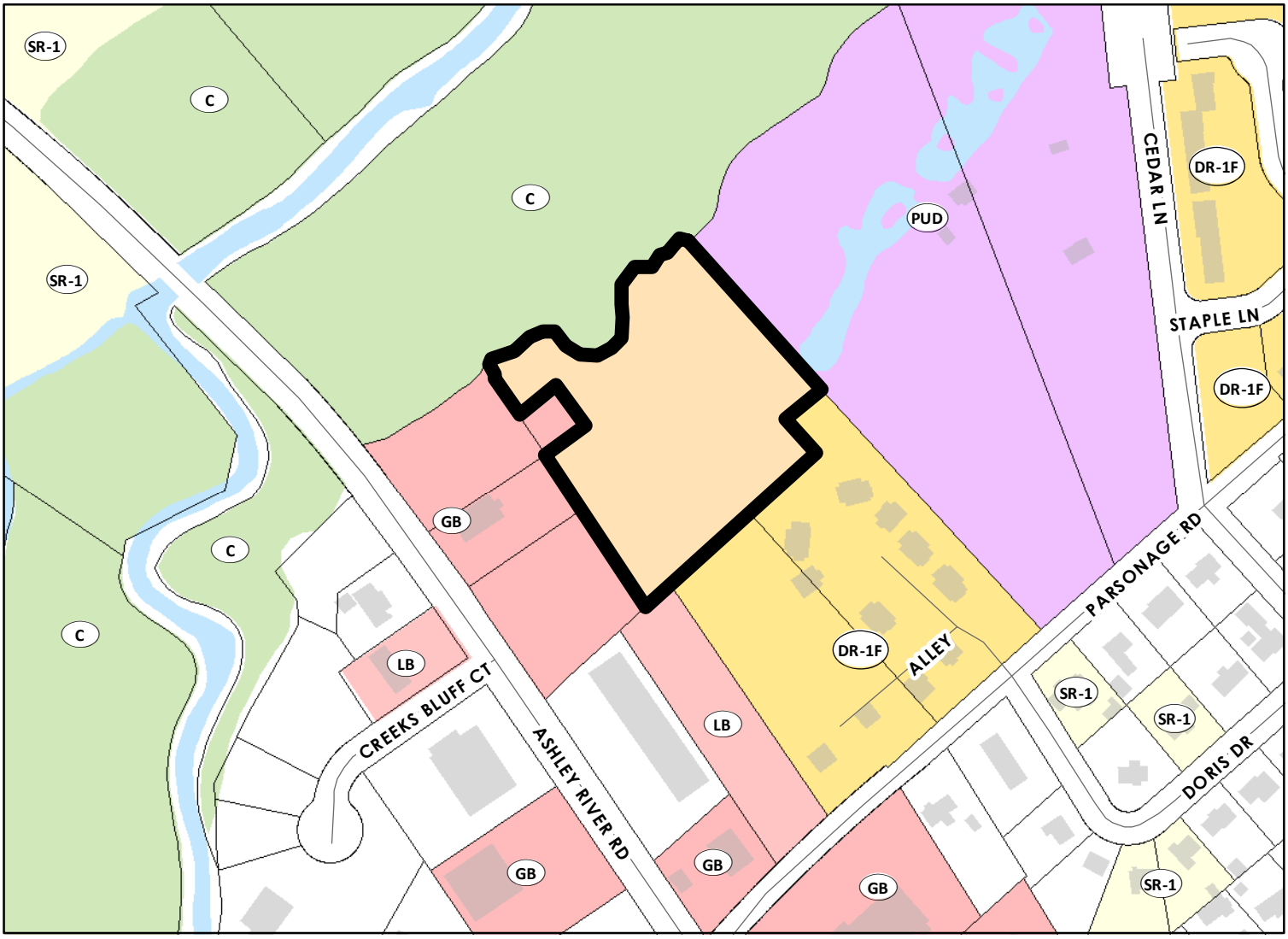
Request rezoning to include a portion of the property in the School Overlay Zone (S).
Zoned Diverse Residential (DR-12).

Owner: Parsonage – CPW LLC
Applicant: Riverpointe Christian Academy Inc.

Area



Location



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CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Zonings 1 through 5 :

Recently Annexed Properties in James Island, West Ashley & Cainhoy

BACKGROUND

The following zoning items are located in the **James Island**, **West Ashley** and **Cainhoy** areas of the City and were recently annexed. The zoning districts recommended in the City closely match the zonings assigned to the properties in Charleston County or Berkeley County or they are compatible with the context of the existing development or lot sizes in the surrounding neighborhoods.

Zoning Item	Property Address	Acres	Land Use	Previous Zoning	Recommended Zoning
	James Island				
1.	2116 Saint James Dr	0.24	Single-Family Residential	R-4	SR-1
	West Ashley				
2.	1827 Mepkin Rd	0.18	Single-Family Residential	R-4	SR-1
3.	2482 Flamingo Dr	0.25	Single-Family Residential	R-4	SR-1
4.	2476 Flamingo Dr	0.25	Single-Family Residential	R-4	SR-1
	Cainhoy				
5.	115 Carriage Hill Pl	0.18	Single-Family Residential	R-2	SR-6

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject properties are designated in the Century V Plan as **Suburban** or **Suburban Edge** which are predominately residential with varying densities. Given the existing pattern of development in the surrounding area the proposed zonings are appropriate for these sites.

STAFF RECOMMENDATION

APPROVAL ON ITEMS 1 THROUGH 5

City of Charleston

Planning Commission
March 16, 2016

Zoning 1

2116 Saint James Dr
(Riverland Terrace – James Island)

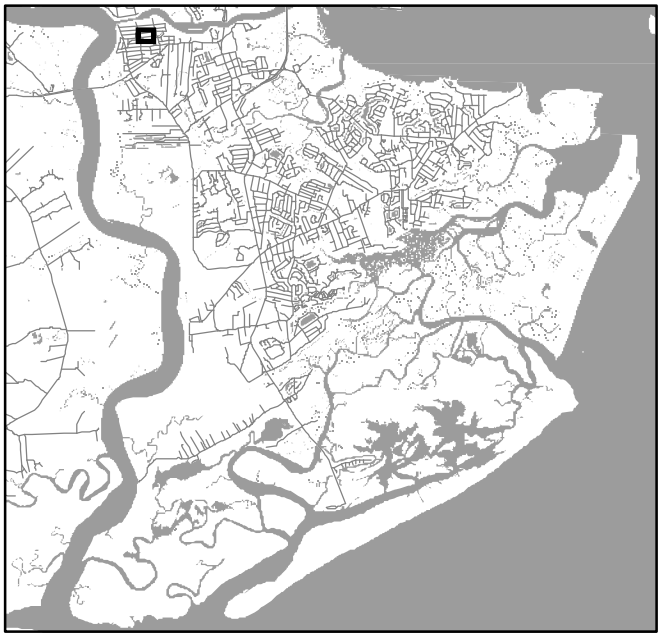
TMS# 3430200073

0.24 ac.

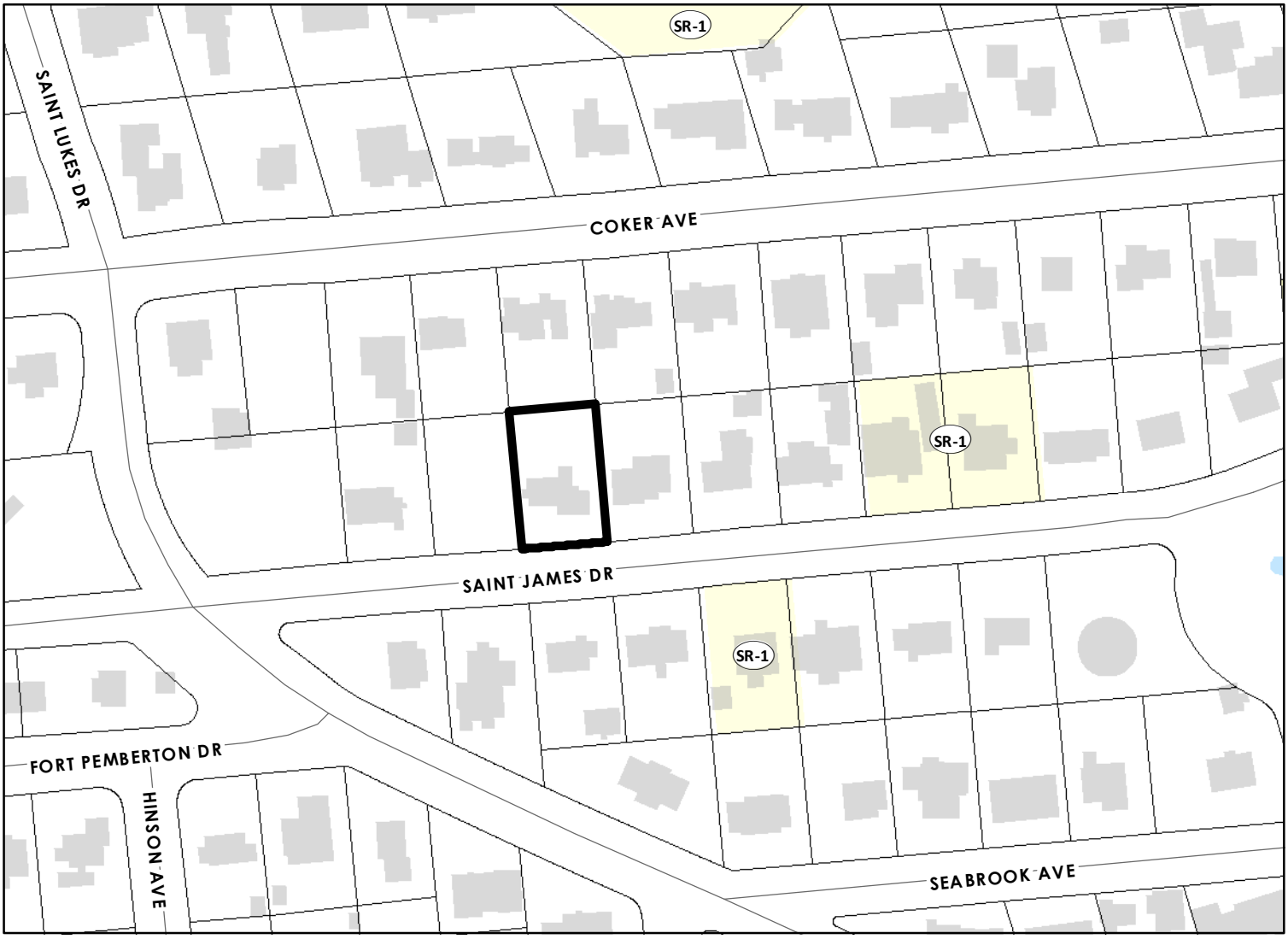
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Catherine Galloway

Area



Location



City of Charleston

Planning Commission
March 16, 2016

Zoning 2

1827 Mepkin Rd
(West Ashley Plantation – West Ashley)

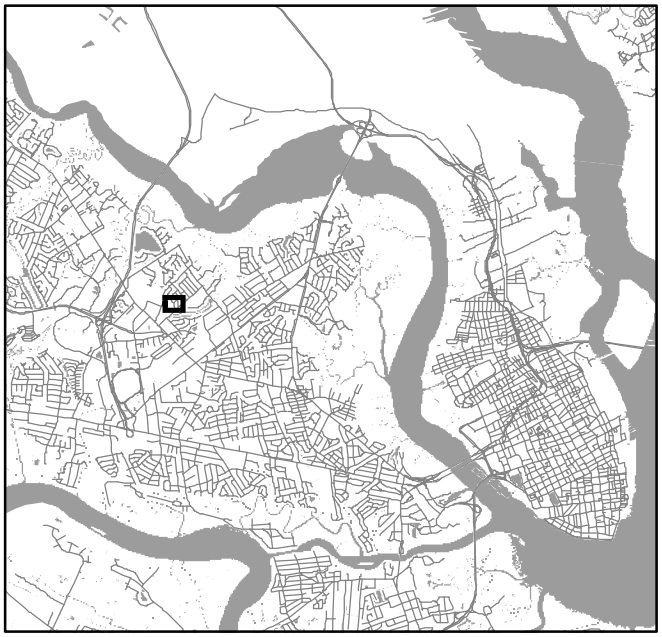
TMS# 3531400183

0.18 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Brandon and Allison Broughton

Area



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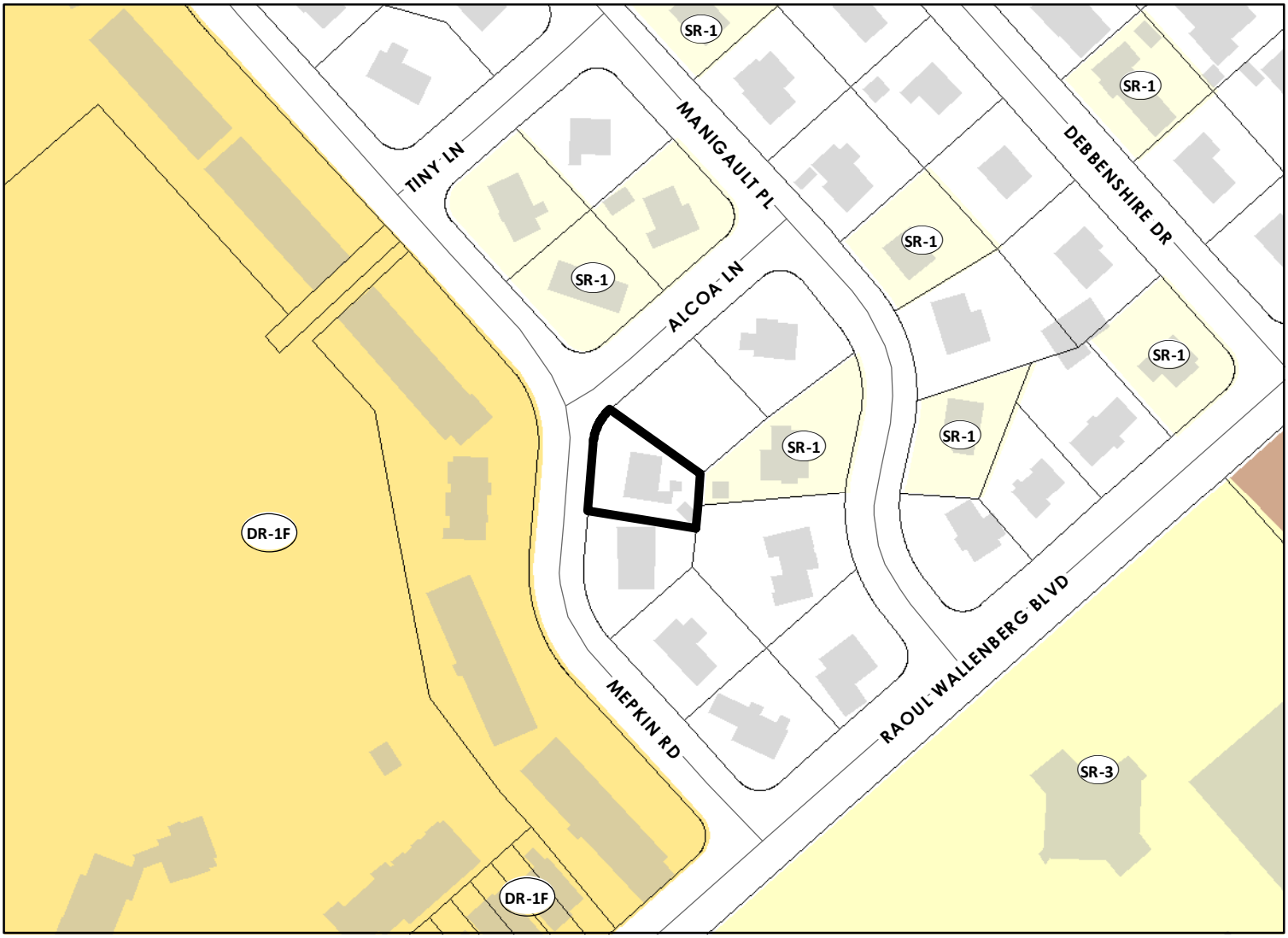

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City of Charleston

Planning Commission
March 16, 2016

Zoning 3

2482 Flamingo Dr (Long Branch - West Ashley)

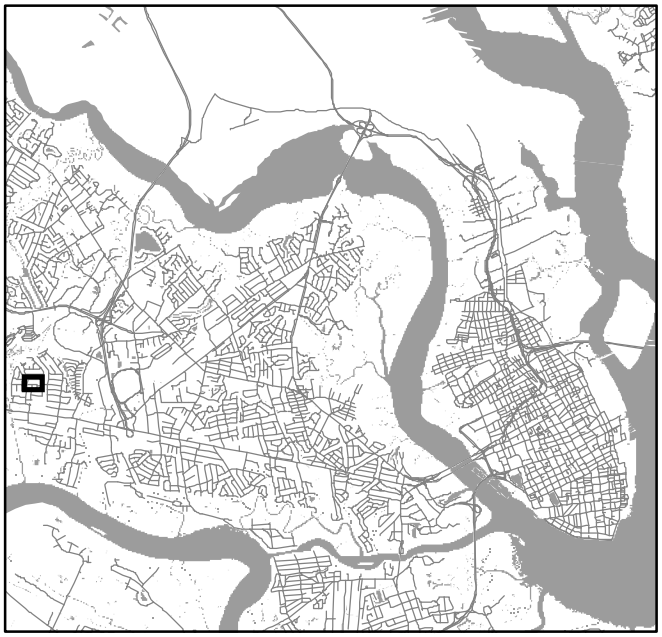
TMS# 3100200127

0.25 ac.

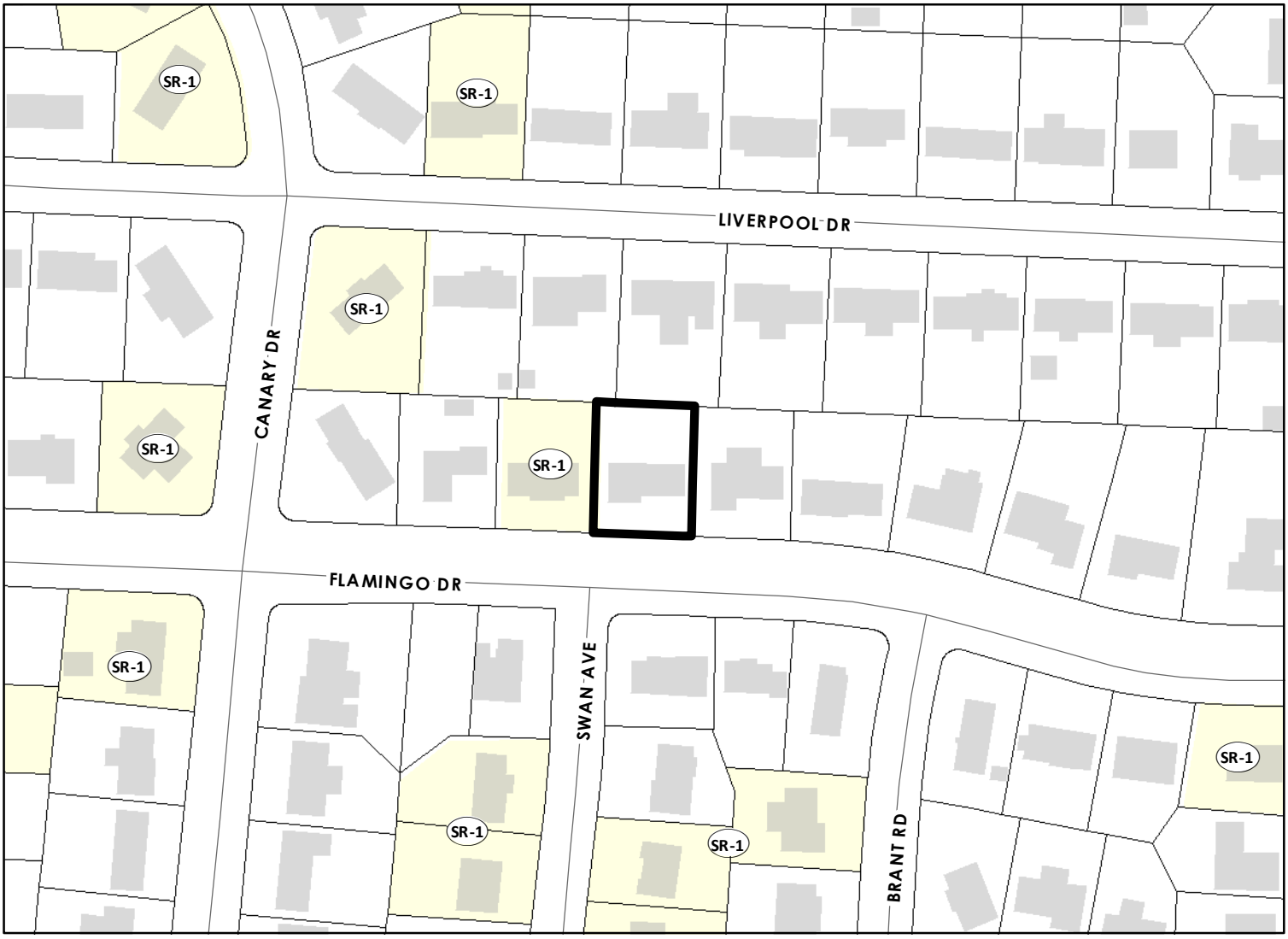
Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Reginald and Lisa Worth

Area



Location



City of Charleston

Planning Commission
March 16, 2016

Zoning 4

2476 Flamingo Dr (Long Branch - West Ashley)

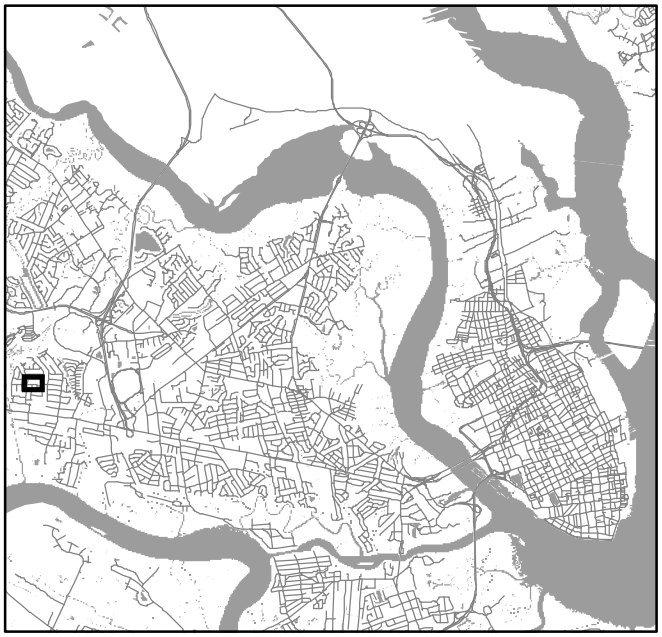
TMS# 3100200126

0.25 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Single-Family Residential (R-4)
in Charleston County.

Owner: Jason and Amanda Dolinski

Area



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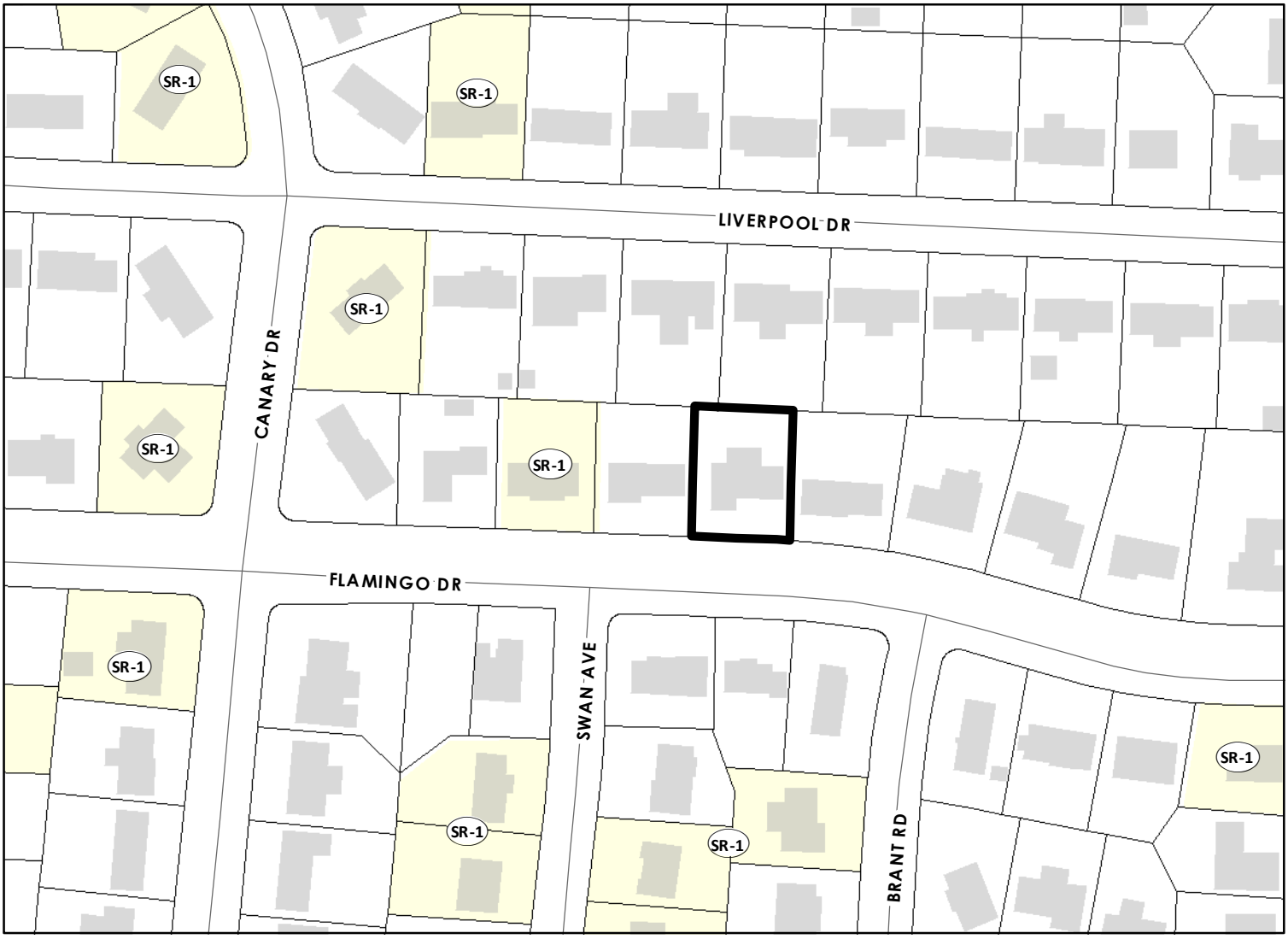


City of Charleston

Planning Commission
March 16, 2016

Zoning 5

115 Carriage Hill Pl (Nelliefield – Cainhoy)

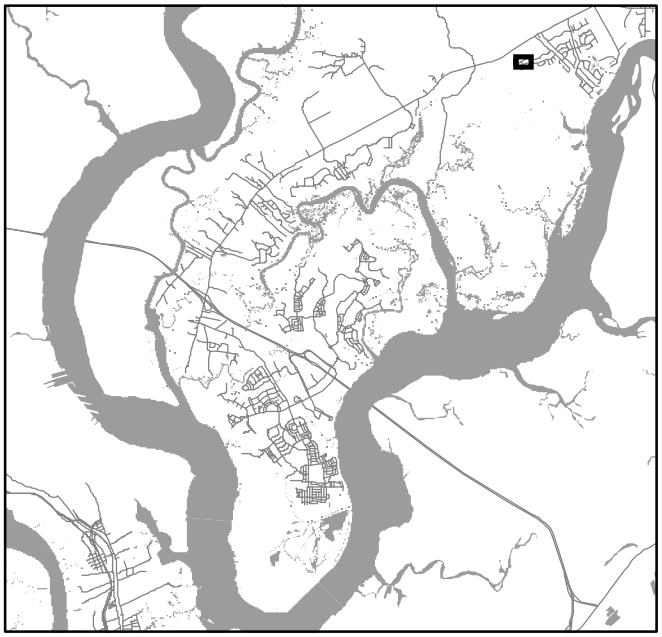
TMS# 2690105159

0.18 ac.

Request zoning of Single-Family Residential (SR-6).
Zoned Manufactured Residential (R-2)
in Berkeley County.

Owner: Jonathan and Candace Crompton

Area



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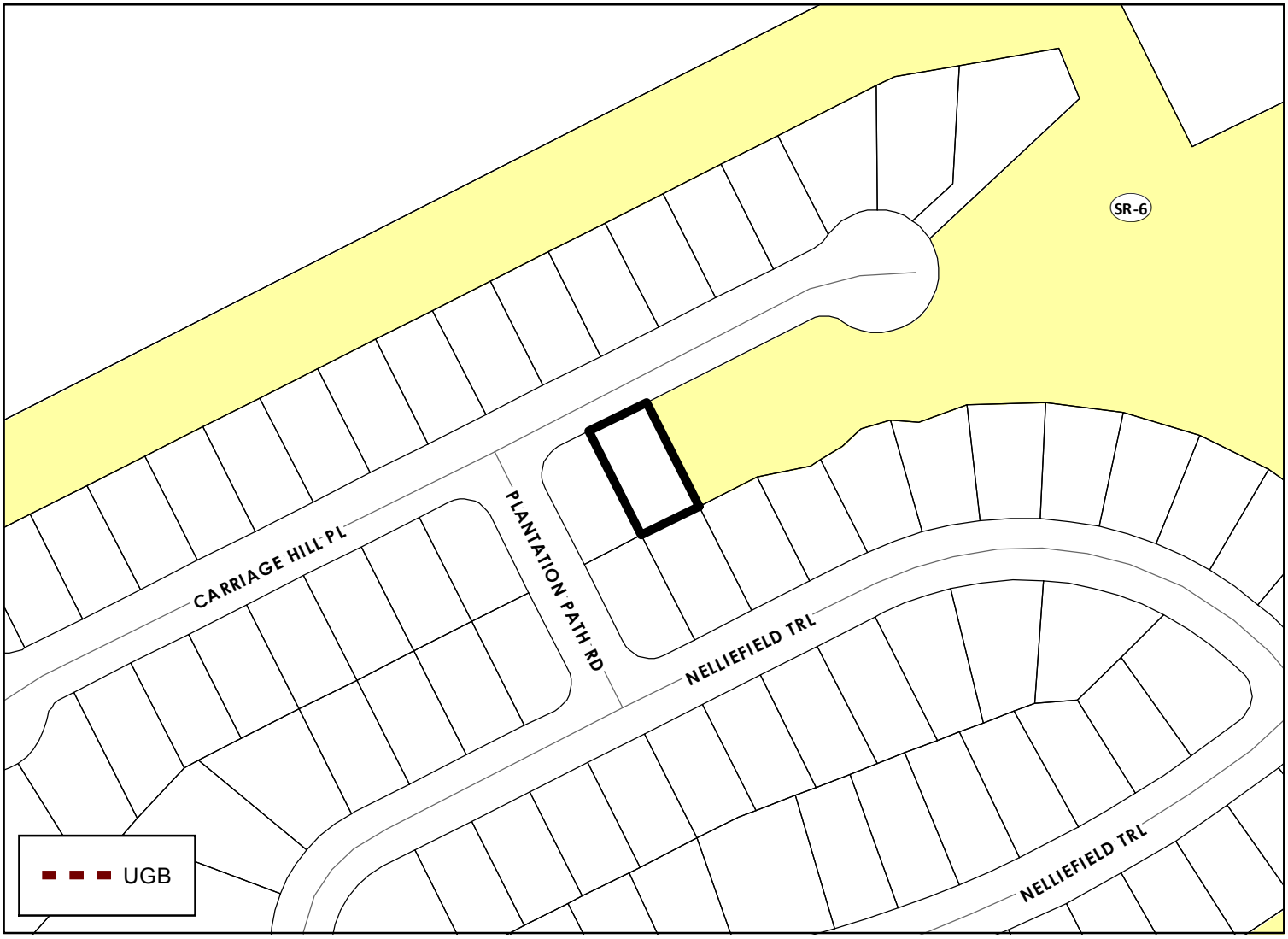


CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Zoning 6 :

Cooper Judge Ln (James Island)

BACKGROUND

The subject property consisting of two lots (3.74 ac.), is pending annexation into the City and the property owner is requesting zoning of Single-Family Residential (SR-1). The property is zoned Special Management (S-3) in Charleston County. The property is surrounded by SR-1 zoning in the City and S-3 zoning in Charleston County. The property is surrounded by single-family homes on large lots, and undeveloped lots of varying size. The lots are wooded and accessed by an unimproved private right-of-way off of Secessionville Road.

CENTURY V CITY PLAN RECOMMENDATIONS

The **Century V Plan** recommends maintaining the character of established areas in the City when considering the zoning of property. The subject property is designated in the Century V Plan as **Rural** which is characterized by low residential density and agricultural uses. The property is located just outside of the City's Urban Growth Boundary in an area of James Island that has a rural context, but has seen some residential development of late. Given the existing zoning and existing pattern of development in the surrounding area the Rural Residential (RR-1) zoning is more appropriate for this site.

STAFF RECOMMENDATION

APPROVAL RURAL RESIDENTIAL (RR-1)

City of Charleston

Planning Commission
March 16, 2016

Zoning 6

Cooper Judge Ln (James Island)

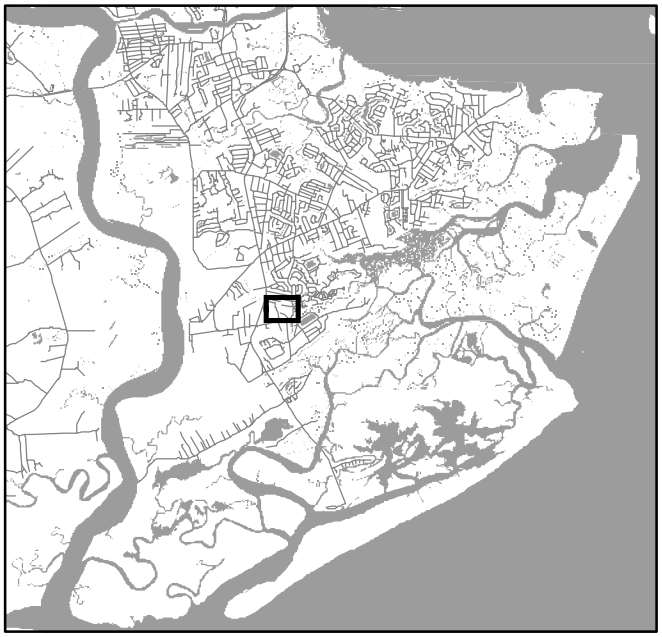
TMS# 4270000078 & 079

3.74 ac.

Request zoning of Single-Family Residential (SR-1).
Zoned Special Management (S-3)
in Charleston County.

Owner: Rosalind Joachim aka Rosalind Judge

Area



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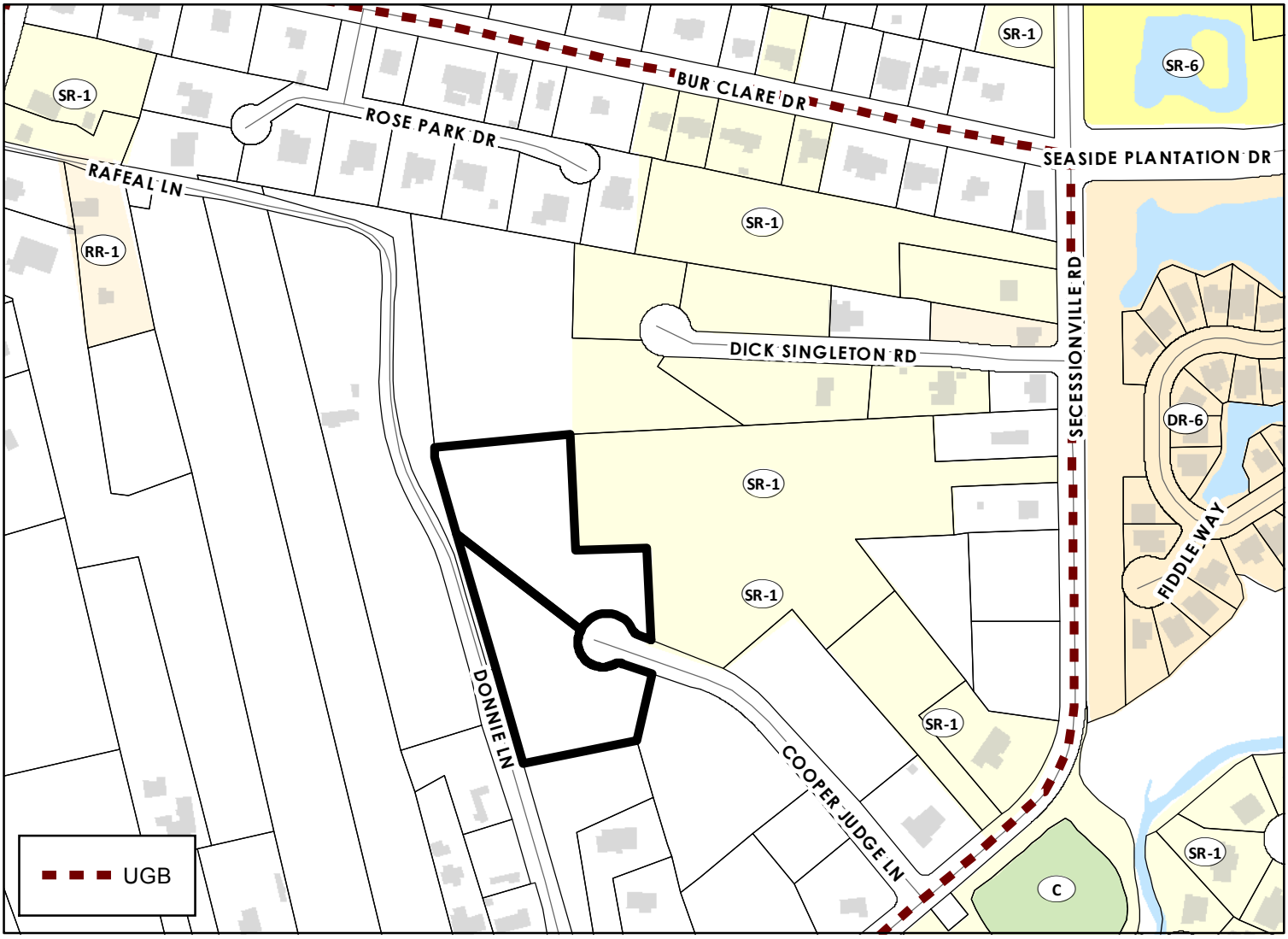


CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Ordinance Amendment 1 :

Request approval to amend Section 54-943(c) of the Code of the City of Charleston (Zoning Ordinance) to **modify the vote required of City Council in the event a matter is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots subject to the matter, or of those immediately adjacent on the sides and rear or directly opposite thereto is presented to Council to sixty (60%) percent of the members of Council present and voting.**

BACKGROUND

Charleston City Council initiated this Zoning Ordinance amendment and gave it first reading approval on February 9, 2016.

AN ORDINANCE

TO AMEND SECTION 54-943(c) OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO MODIFY THE VOTE REQUIRED OF CITY COUNCIL IN THE EVENT A MATTER IS DISAPPROVED BY THE PLANNING COMMISSION OR WHEN A PETITION IN OPPOSITION TO A MATTER SIGNED BY OWNERS OF TWENTY PERCENT OF THE AREA OF LOTS SUBJECT TO THE MATTER, OR OF THOSE IMMEDIATELY ADJACENT ON THE SIDES AND REAR OR DIRECTLY OPPOSITE THERETO IS PRESENTED TO COUNCIL TO SIXTY (60%) PERCENT OF THE MEMBERS OF COUNCIL PRESENT AND VOTING.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Section 54-943(c) of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by changing the number of votes required of City Council in the event an amendment, supplement or change is disapproved by the Planning Commission or when a petition in opposition to a matter signed by owners of twenty percent of the area of lots affected by a matter, or of those immediately adjacent in the rear or sides thereof, or of those directly opposite thereto to sixty (60%) of the members of council present and voting, so that hereafter, Sec. 54-943 (c) of the Zoning Ordinance shall read as follows (changes in strike through and **bold**):

c. In case the proposed amendment, supplement, or change be disapproved by the Planning Commission, or a protest be presented duly signed and acknowledged by the owners of twenty percent or more either of the areas of the lots included in such change, or of those immediately adjacent in the rear and on the side or sides thereof or of those directly opposite thereto, such amendment, supplement or change shall not become effective except by a favorable vote ~~of three-fourths (3/4) of all members of the City Council~~ **sixty (60%) of the members of City Council present and voting.**

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____ day of
_____ in the Year of Our Lord, 2016,
and in the ____th Year of the Independence of
the United States of America

_____
John J. Tecklenburg, Mayor

ATTEST: _____
Clerk of Council

CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Ordinance Amendment 2 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-110 to change zoning regulations for non-conforming two-family and multi-family dwelling uses to require any increase in the number of bedrooms to be reviewed by the Board of Zoning Appeals- Zoning and amending Section 54-120 to change the definition "Multiple Dwelling" to "Multi-Family Dwelling".**

BACKGROUND

Charleston City Council initiated this Zoning Ordinance amendment and gave it first reading approval on February 9, 2016.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-110 TO CHANGE ZONING REGULATIONS FOR NON-CONFORMING TWO-FAMILY AND MULTI-FAMILY DWELLING USES TO REQUIRE ANY INCREASE IN THE NUMBER OF BEDROOMS TO BE REVIEWED BY THE BOARD OF ZONING APPEALS – ZONING AND AMENDING SECTION 54-120 TO CHANGE THE DEFINITION "MULTIPLE DWELLING" TO "MULTI-FAMILY DWELLING"

Section 1. Subsection b. of Sec. 54-110, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with ~~strikethrough~~):

b. The lawful use of a building or structure, existing at the time of the adoption of this chapter, or an amendment thereto, although such use does not conform to the provisions hereof, may be continued except for signs, which shall be governed by Article 4, and rental of amusement and recreational vehicles which shall be governed by section 54-223, and such use, with the exception of accommodations ~~and~~**uses,** bed and breakfast uses,**two-family dwelling uses and multi-family dwelling uses,** may be extended throughout the building or structure provided such extension does not displace a conforming use and provided no structural alterations are made, other than those necessary to assure the safety of the building or structure.

Section 2. Subsection f. of Sec. 54-110, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold**):

f. The non-conforming use of a building or structure cannot be physically extended to provide more area for the non-conforming use**, and the number of bedrooms in a non-conforming two-family dwelling or muli-family dwelling use cannot be increased,** unless the Board of Zoning Appeals—Zoning, after a duly advertised public hearing, finds that the extension **or increase** of the non-conforming use is: (1) limited to extending **or increasing** the non-conforming use then in existence; and (2) would not result in an unreasonable intensification of the non-conforming use. In considering the reasonableness of the intensification of the extension **or increase**, the Board shall consider the effect of the extension **or increase** on properties in the vicinity to include traffic impacts; vehicular and pedestrian safety; parking impacts; potential impacts of noise, lighting, fumes or obstruction of air flow or light on adjoining property; impacts on the aesthetic character of the environs, to include the possible need for screening. If an extension **or increase** is permitted, the Board may imposed reasonable and appropriate conditions and safeguards for the protection of the public interest and neighboring properties, including but not limited to, limitations on the days and hours during which the proposed use may be operated, and shall require, for properties located in the Old and Historic District, that exterior alterations be approved by the Board of Architectural Review, regardless of whether said alterations are visible from a public street or thoroughfare.

Section 3. The Definition "Multiple Dwelling" in Sec. 54-120, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with strikethrough):

~~**Multiple**~~**Multi-family** **Dwelling.** A building designed or occupied otherwise than as a one-family dwelling or a two-family dwelling. The term "~~multiple~~**multi-family** dwelling" shall be understood to include apartment houses, tenement houses, residential condominiums and similar multi-family buildings exclusive of hotels, apartment hotels, and motels, inns, boarding or rooming houses, bed and breakfasts, and timesharing facilities.

Section 4. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____day of
_____ in the Year of Our Lord 2016,
in the ___ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner Maybank
Clerk of Council

CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Ordinance Amendment 3 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-120 to change the definition of "Protective Barricade" and by amending Section 54-330 to include additional tree protection requirements.**

BACKGROUND

This ordinance is a minor adjustment to the text of the Zoning Code to clarify the definition of Protective Barricade and strengthen tree protection requirements. This item will be presented in detail during the meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-120 TO CHANGE THE DEFINITION OF "PROTECTIVE BARRICADE" AND BY AMENDING SECTION 54-330 TO INCLUDE ADDITIONAL TREE PROTECTION REQUIREMENTS

BE IT ORDAINED BY THE MAYOR AND COUNCIL MEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Sec. 54-120 Definitions, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with ~~strikethrough~~):

"Protective Barricade. Means a physical structure not less than four feet (4') in height, limiting access to protected and grand trees. ~~A suitable protective barrier shall be composed of wood or other durable material which insures protection of protected trees and grand trees during development.~~ **A protective**

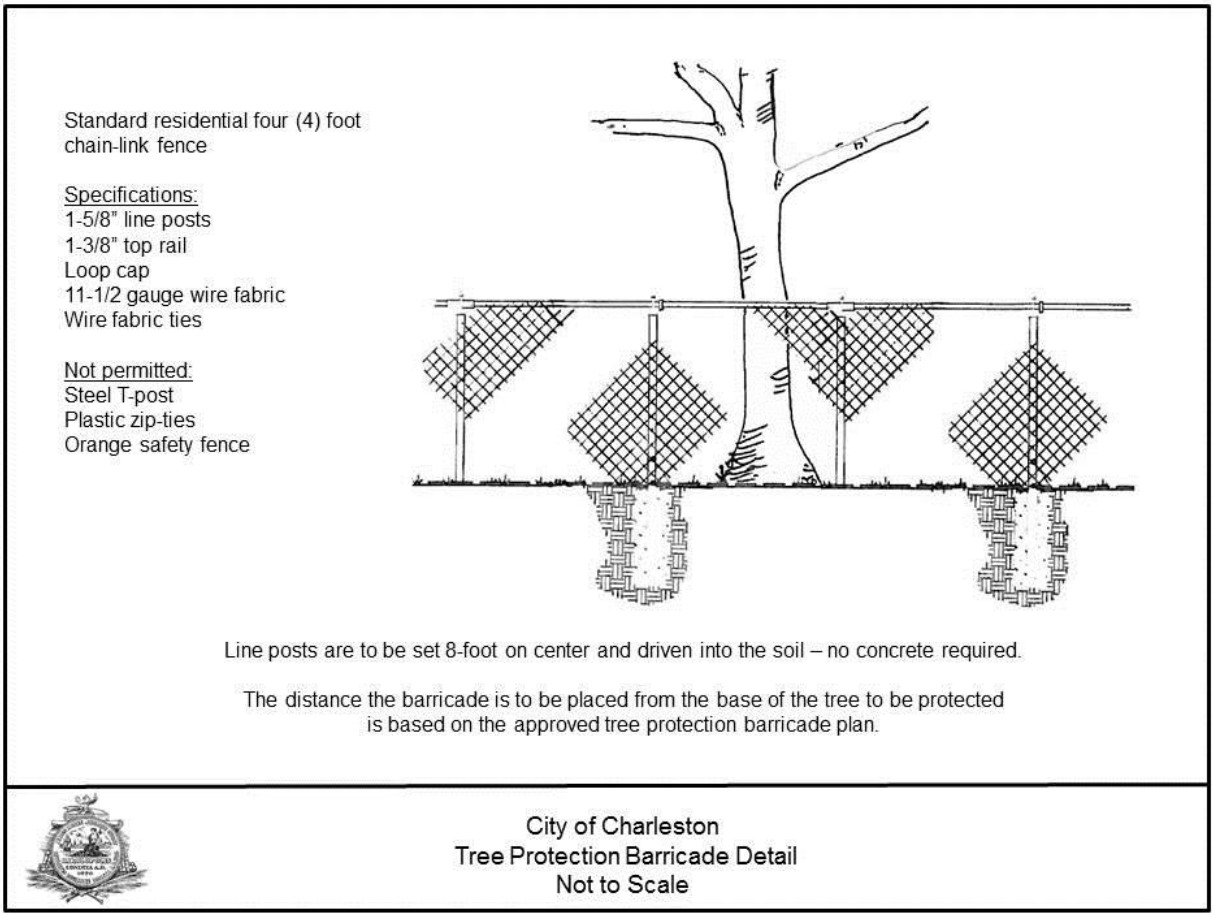
barrier shall be constructed of chain-link fence material to ensure protection of protected trees and grand trees during development. (Refer to Appendix M)"

Section 2. Sec. 54-330 Tree protection requirements, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the text shown below:

"e. To ensure that the land clearing operation for all approved development projects, except for platted single-family lots, adheres to the tree protection requirements in this article, a mandatory pre-construction meeting shall be held. A meeting of the City's tree protection enforcement officer, the owner of the development project, the owner and the assigned on-site superintendent of the land clearing company, and the superintendent of the site work contractor shall be held in the City's Zoning Division office prior to the tree protection barricade inspection being conducted. If there is a change in ownership of the approved development project, the land clearing company, or the site work contractor between the time of this meeting and the commencement of vegetation clearing, an additional meeting must be held with the new representatives."

Section 3. Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended by inserting the section shown below:

"APPENDIX M



"

Section 4. This Ordinance shall become effective upon ratification.

CITY OF CHARLESTON
PLANNING COMMISSION

March 16, 2016

Ordinance Amendment 4 :

Request approval to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by **amending Section 54-353 to change the driveway requirements for one-family attached dwellings.**

BACKGROUND

This ordinance is a proposed change to the regulations in the text of the Zoning Code regarding maximum driveway width. This item will be presented in detail during the meeting.

STAFF RECOMMENDATION

APPROVAL

AN ORDINANCE

TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY AMENDING SECTION 54-353 TO CHANGE THE DRIVEWAY REQUIREMENTS FOR ONE-FAMILY ATTACHED DWELLINGS

Section 1. Sec. 54-353 Standards and Regulations, of Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) is hereby amended to read as follows (new text in **bold** and deleted text with ~~strikethrough~~):

"j. Special requirements:

1. The partition wall and walls between such structures shall comply with building code requirements.
2. Not more than six (6) such dwellings shall be constructed or attached together in a continuous row, and no such row shall exceed two hundred (200) feet in length, except in SR-3, SR-4, SR-5 and STR Districts, where not more than two such units shall be constructed or attached together in a continuous row.

3. Off-street parking shall be provided for each such dwelling, pursuant to the zoning regulations, either on the premises or in a community parking lot or garage the title to which and/or the easement for the use of which runs with and/or is appurtenant to the title to such dwelling. No such parking lot or garage shall be located more than two hundred (200) feet from the dwelling which it serves. ~~Driveways or parking spaces in the front yard shall not be wider than eleven (11) feet.~~ **One driveway with a maximum width of eleven (11) feet shall be permitted in the front yard, except that dwellings within a development may be exempt from these driveway restrictions if sidewalks or paved multi-use paths with a minimum width of five (5) feet are installed along both sides of all rights-of-way within the development and along all street rights-of-way located adjacent to the development and classified as Subcollector or Access streets."**

Section 2. This Ordinance shall become effective upon ratification.

Ratified in City Council this _____day of _____ in the Year of Our Lord 2016, in the ___ Year of Independence of the United States of America.

By: _____
John J. Tecklenburg
Mayor, City of Charleston

Attest: _____
Vanessa Turner-Maybank
Clerk of Council